

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Masahiro OMATA et al.  
Title: LAPPING APPARATUS AND LAPPING METHOD  
Appl. No.: 10/772,593  
Filing Date: 02/06/2004  
Examiner: Maurina T. Rachuba  
Art Unit: 3723  
Confirmation Number: 5185

**REQUEST FOR RECONSIDERATION OF THE PATENT TERM ADJUSTMENT  
UNDER 37 C.F.R. §1.705(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request reconsideration of the Patent Term Adjustment (PTA) included with the Notice of Allowance and Allowability dated January 15, 2008.

The above-identified application was filed on February 6, 2004, and is therefore eligible for application of the PTA rules. Under 37 C.F.R. § 1.704, the period of adjustment of the term of a patent shall be reduced by a period equal to the period of time during which the applicant failed to engage in reasonable efforts to conclude prosecution (processing or examination) of the application.

*This application is not subject to a terminal disclaimer.*

- The 14-month Application date is April 6, 2005.
- PTO issued an Election of Species Requirement dated August 25, 2005 which resulted in **141 PTO days**.

- Applicants' filed an Information Disclosure Statement on October 3, 2005.
- Applicants' filed a response to the Election of Species with One Month Extension of Time on October 21, 2005.
- PTO erroneously charged **115 Applicant Days** for filing Response to Election of Species.
- Applicants' filed a Request for Acceptance of Duplicate Papers on March 20, 2006.
- PTO issued a non-Final Official Action dated May 24, 2006 which result in **92 PTO days**.
- Applicants' filed a Response to non-Final Official Action on August 18, 2006.
- PTO issued a Final Official Action dated October 24, 2006.
- Applicants' filed a Request for Continued Examination on January 24, 2007.
- PTO issued a non-Final Official Action dated April 10, 2007.
- Applicants' filed a Response to non-Final Official Action on July 10, 2007.
- PTO issued a Notice of Allowance dated January 15, 2008, which resulted in **66 PTO days**.
- The Notice of Allowance dated January 15, 2008 indicated the Patent Term Adjustment of **92 days**.


Therefore, the total PTO days are **299** and the total Applicant days are **0**.

It is respectfully requested that a Patent Term Adjustment of **299** days be granted in favor of the Applicant.

A credit card authorization form in the amount of \$200 is enclosed herewith. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date April 14, 2008

By 

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5426  
Facsimile: (202) 672-5399

Glenn Law  
Attorney for Applicant  
Registration No. 34,371